

CHAPTER 9.36

Penalty for Violations

9.36.010 Violation – penalty.

Any person who violates any of the provisions of this Title is guilty of a violation of this Title and shall be punished as provided in Chapter 1.16 of this Code. (113-01: 842-92: 347 77)

9.36.020 Additional penalties for offenses involving public property.

A. In addition to any penalties provided in Section 9.36.010, anyone found guilty of theft under Section 9.24.010, criminal mischief under Section 9.24.040 or defacing property under Section 9.24.080, and the property involved in any such offense is public property of a city, school or other public entity, then in that event an additional fee of up to two hundred dollars (\$200.00) may be imposed on the defendant by the Municipal Court. Such fee shall be in addition to any restitution awarded by the Municipal Court.

B. All fees collected by the Municipal Court under Subsection A above shall be deposited in the general fund, but accounted for separately and shall only be used for the purpose of offering rewards to persons, other than law enforcement officers, who provide information which results in a conviction for any of the criminal offenses listed in Subsection A above against public property. Payment of any reward will be made in such a manner as to maintain the identity of any informant confidential.

C. The parent or parents of any minor under the age of eighteen (18) years who is living with such parent or parents, and who commits a violation resulting in a penalty as described in Subsection A above, shall be responsible for ensuring that the fee described in such Subsection A is paid within the time for payment granted by the Municipal Court, not to exceed four (4) months. Failure of the parent or parents to ensure such payment shall be a separate violation of the ordinance and such parent or parents shall then be liable for a penalty in the amount of the fee not paid by the minor child. Failure of payment of the fee by the minor child shall be a presumption that the parent or parents did not ensure the payment by the child. The word *parent* shall include any person who has custody of a child or stands in the position of *In Loco Parentis*.

D. Upon the conviction of a minor under the age of eighteen (18) years, the Municipal Court shall set a restitution hearing not less than ten (10) days after such conviction, and shall give notice to the minor's parent, requiring such parent to appear at such hearing with the minor. At such hearing the Municipal Court may order restitution, may order the fee described in Subsection A and may enter judgment against the parent or parents for restitution. (Ord. 833-92)